

## HAZARDOUS WASTE MANAGEMENT FACILITY PERMIT

U.S. Environmental Protection Agency, Region 10  
Office of Waste and Chemicals Management (WCM-121)  
RCRA Permits Team  
1200 Sixth Avenue  
Seattle, Washington 98101  
(206) 553-1253

Issued in accordance with the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. § 6901 et. seq., and the Hazardous and Solid Waste Amendments of 1984 (HSWA), and the regulations promulgated thereunder in Title 40 of the Code of Federal Regulations (CFR) Parts 124 and 260 through 271.

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ISSUED TO: UNITED STATES AIR FORCE (USAF)  
Elmendorf Air Force Base, AK 99506-3240  
EPA I.D. No.: AK8 57002 8649

This permit is effective as of October \_\_, 2003 and shall remain in effect until October \_\_, 2013, unless revoked and reissued under 40 CFR § 270.41, or terminated under 40 CFR § 270.43, or continued in accordance with 40 CFR § 270.51(a). This permit will be reviewed five (5) years after the date of issuance, in accordance with Section 3005(c)(3) of RCRA, 42 U.S.C. § 6925(c)(3), and 40 CFR § 270.50, and will be modified as necessary to ensure that the facility continues to comply with the currently applicable requirements of Sections 3004 and 3005 of RCRA, 42 U.S.C. §§ 6924 and 6925.

ISSUED BY: The U.S. ENVIRONMENTAL PROTECTION AGENCY

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Richard Albright, Director  
Office of Waste and Chemicals Management  
U.S. Environmental Protection Agency, Region 10

Date \_\_\_\_\_

**PART B PERMIT CERTIFICATION [40 CFR § 270.11(d)(1)]**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

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Name (Print)

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Title

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Signature

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Date

## CONTENTS

	<u>PAGE</u>
HAZARDOUS WASTE MANAGEMENT FACILITY PERMIT .....	B-1
PART B PERMIT CERTIFICATION [40 CFR 270.11(d)(1)] SIGNATURE PAGE .....	B-2
TABLE OF CONTENTS .....	B-3
ATTACHMENTS .....	B-5
INTRODUCTION.....	B-7
DEFINITIONS.....	B-9
PART I. STANDARD CONDITIONS.....	B-11
A. Effect of Permit .....	B-11
B. Permit Actions and Modifications .....	B-11
C. Severability .....	B-12
D. Personal and Property Rights.....	B-12
E. Duty to Comply.....	B-12
F. Duty to Reapply .....	B-13
G. Continuation of Expiring Permit.....	B-13
H. Need to Halt or Reduce Activity Not a Defense.....	B-13
I. Duty to Mitigate .....	B-13
J. Proper Operation and Maintenance.....	B-13
K. Duty to Provide Information .....	B-14
L. Inspection and Entry .....	B-14
M. Monitoring and Records.....	B-14
N. Reporting Planned Changes .....	B-15
O. Reporting Anticipated Noncompliance.....	B-16
P. Transfer of Permits.....	B-16
Q. Compliance Schedules .....	B-16
R. Twenty-four Hour Reporting .....	B-16
S. Other Noncompliance .....	B-17
T. Other Information .....	B-17

## CONTENTS (cont.)

	<b><u>PAGE</u></b>
U. Biennial Report .....	B-17
V. Signature and Certification .....	B-18
W. Reports, Notification and Submissions.....	B-18
X. Confidential Information .....	B-18
Y. Documents to be Maintained at the Facility .....	B-18
<b>PART II. GENERAL FACILITY STANDARDS.....</b>	<b>B-21</b>
A. Design and Operation of Facility.....	B-21
B. Required Notice .....	B-21
C. General Waste Analysis.....	B-21
D. Security .....	B-21
E. General Inspection Requirements.....	B-21
F. Training for Personnel Involved with Hazardous Waste Management Activities .....	B-21
G. General Requirements for Ignitable, Reactive, or Incompatible Wastes .....	B-22
H. Location Standards .....	B-22
I. Preparedness and Prevention .....	B-22
J. Contingency Plan.....	B-22
K. Manifest System.....	B-22
L. Record Keeping and Reporting.....	B-22
M. Closure and Post-Closure.....	B-22
N. Pollution Prevention Program.....	B-23
O. Equivalent Materials .....	B-24
P. Air Emission Standards .....	B-24
<b>PART III. STORAGE IN CONTAINERS.....</b>	<b>B-25</b>
Waste Identification .....	B-25

## **CONTENTS (cont.)**

	<b><u>PAGE</u></b>
B. Condition of Containers .....	B-26
C. Compatibility of Waste with Containers.....	B-26
D. Management of Containers .....	B-26
E. Inspection of Containers and Containment System .....	B-27
F. Containment .....	B-27
G. Special Requirements for Incompatible Waste .....	B-28
H. Prohibitions of Storage of Restricted Wastes .....	B-28
<b>PART IV. CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS...</b>	<b>B-31</b>
A. CERCLA Section 120 Federal Facility Agreement.....	B-31
B. Newly-Identified or Newly-Created Solid Waste Management Units....	B-32
C. Newly-Discovered Releases at Solid Waste Management Units.....	B-33
D. Date/Deadline Changes.....	B-34

## **ATTACHMENTS**

The following Attachments describing specific requirements from the Permittee's RCRA permit application are hereby incorporated as enforceable conditions of this permit. In the event of any inconsistencies between a permit condition and an Attachment, the permit condition shall prevail.

Attachment 1 – Facility Description

Attachment 2 – Waste Analysis Plan

Attachment 3 – Personnel Training Outline

Attachment 4 – Hazardous Waste Contingency Plan

Attachment 5 – Closure Plan for the TSDF

Attachment 6 – TSDF Plans and Specifications

Attachment 7 – Procedures to Prevent Hazards

Attachment 8 – Corrective Action for Solid Waste Management Units

Attachment 9 – Federal Facility Agreement

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## INTRODUCTION

Permittee: U.S. Air Force

EPA ID Number: AK8 57002 8649

Pursuant to the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. § 6901 et. seq., (RCRA), and the Hazardous and Solid Waste Amendments of 1984 (HSWA), and regulations promulgated thereunder by the U.S. Environmental Protection Agency (EPA) [codified and to be codified in Title 40 of the Code of Federal Regulations (40 CFR)]; a permit is hereby issued to the U.S. Air Force Elmendorf Air Force Base (AFB)(hereafter called the Permittee) to operate a hazardous waste container storage unit in Building 11735 at USAF Elmendorf AFB, geographically located in the Municipality of Anchorage, Alaska, at latitude 61 degrees 14 minutes North and longitude 149 degrees 48 minutes West.

The Permittee must comply with all terms and conditions of this hazardous waste facility permit. This permit consists of the conditions contained herein (including those in any attachments), and the applicable regulations contained in 40 CFR Parts 260 through 264, 266, 268, 270, and 124. Any management of hazardous waste subject to 40 CFR Parts 264 or 265, which is not authorized by this permit, is prohibited.

Nothing in this permit shall limit the Agency's authority to undertake, or require any person to undertake, response action or corrective action under any law, including, but not limited to, Section 104 or 106 of CERCLA, 42 U.S.C. Sections 9604 and 9606, and Section 7003 of RCRA, 42 U.S.C. Section 6973. Nor shall any permit condition relieve the Permittee of any obligations under any law, including, but not limited to, Section 103 of CERCLA, 42 U.S.C. Section 9603 to report releases of hazardous wastes, constituents, or substances to, at, or from the facility.

Applicable federal regulations are those that are in effect on the date of final administrative action on this Permit and any self-implementing statutory provisions and related regulations which, according to the requirements of RCRA (as amended), are automatically applicable to the Permittee's hazardous waste management activities, notwithstanding the conditions of this Permit.

This Permit is based upon the administrative record, as required by 40 CFR § 124.9. The Permittee's failure in the application or during the Permit issuance process to fully disclose all relevant facts, or the Permittee's misrepresentation of any relevant facts at any time, shall be grounds for the termination or modification of this Permit and/or initiation of an enforcement

action, including criminal proceedings. The Permittee shall inform the Administrator of noncompliance with any condition of the Permit or changes to the information provided in the Part B Permit Application that might affect the ability of the Permittee to comply with applicable regulations and permit conditions, or which alter any of the conditions of the Permit in any way.

This Permit includes the provisions of Section 206, 212, and 224 of the Hazardous and Solid Waste Amendments of 1984 (HSWA), which amended Sections 3004 and 3005 of RCRA, 42 U.S.C. §§ 6924 and 6925. In particular, Section 3004(u), 42 U.S.C. § 6924(u) requires corrective action for all releases of hazardous waste or constituents from any solid waste management unit at a treatment, storage, or disposal facility seeking a permit, regardless of the time at which waste was placed in such unit. Section 212 of HSWA provides that permits shall be for a fixed term not to exceed 10 years. Section 3005(c), 42 U.S.C. § 6925(c), provides the Administrator with authority to review and modify the permit at any time. Under Section 6925(h) of RCRA, 42 U.S.C. § 6925(h), RCRA permits for hazardous waste management on the premises where the waste was generated must require the Permittee to certify efforts taken to minimize the amount and toxicity of hazardous waste.

At this time, the State of Alaska does not have an authorized RCRA program pursuant to Section 3006 of RCRA, 42 U.S.C. § 6926. Therefore, this permit is issued by the EPA since the EPA has primacy under RCRA to enforce it.

## DEFINITIONS

For purposes of this permit, the following definitions shall apply:

- a. **"Administrator"** shall mean the Region 10 Regional Administrator of the U.S. Environmental Protection Agency (EPA) or a designated representative. The Director, Office of Waste and Chemicals Management, EPA Region 10 (with the address as specified on page one of this permit), is a duly authorized and designated representative of the Administrator for purposes of this permit.
- b. **"Daily"** shall mean regular work days, except that no more than four (4) consecutive calendar days shall fall between groups of **"daily"** activities required by this permit.
- c. All definitions contained in 40 CFR Parts 124 and 260 through 270 are hereby incorporated by reference into this permit. Where terms are not defined in the regulations or the permit, the meaning associated with such terms shall be the standard dictionary definition, or their generally accepted scientific or industrial meaning.
- d. Unless otherwise noted, all schedules refer to calendar time; e.g., thirty (30) days means thirty (30) calendar days.
- e. **"Permittee"** means the U. S. Air Force (USAF).
- f. **"Release"** means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous waste (including hazardous constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous constituents).
- g. **"Solid waste management unit"** means any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at a facility at which hazardous wastes or hazardous constituents have been routinely and systematically released.
- h. **"Hazardous constituent"** means any constituent identified in Appendix VIII of 40 CFR Part 261, or any constituent identified in Appendix IX of 40 CFR Part 264.
- I. The term **"Agency"** shall mean the U.S. Environmental Protection Agency, Region 10 (with the address as specified on page one of this Permit).
- j. The term **"Permit"** shall mean the Permit issued by the Environmental Protection Agency, Region 10 pursuant to 42 U.S.C. Section 3251 et seq., 40 CFR Parts 124 and 270.

- k. The term **“Work”** shall mean any activity the Permittee is required to perform under the permit.
- l. The term **“historical”** shall mean any past activity by the Permittee.

## **PART I - STANDARD CONDITIONS**

### **I.A. Effect of Permit**

- I.A.1 The Permittee is allowed to store hazardous waste in accordance with the conditions of this Permit. Any storage of hazardous waste governed by 40 CFR Part 264 or 265 not authorized in this permit is prohibited. Compliance with this permit during its effective term constitutes compliance, for purposes of enforcement, with 40 CFR Parts 264 and 270, for the hazardous waste activities identified and included in this permit, except for any self-implementing provisions and related regulations pursuant to HSWA. All other requirements of RCRA, including the generator requirements of 40 CFR Part 262 and 268, remain applicable to this facility and are not replaced or affected by this permit.
- I.A.2 Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under any other federal or state law providing for protection of public health or the environment, including but not limited to, Section 3013 or 7003 of RCRA, 42 U.S.C. § 6934 or 6973, or any section of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C § 9601 et seq. [40 CFR § 270.4]
- I.A.3 All references to responsibilities of the Defense Reutilization and Marketing office (DRMO), the Defense Reutilization Marketing Service (DRMS), Department of Defense (DoD) or the Defense Logistics Agency (DLA) in all attachments are references to the Permittee, USAF Elmendorf AFB. The USAF Elmendorf AFB is responsible for all hazardous waste management activities that occur on the facility.

### **I.B. Permit Actions and Modifications**

- I.B.1. This permit may be modified, revoked and reissued, or terminated for cause, as specified in 40 CFR §§ 270.41, 270.42, and 270.43.
- I.B.2. Filing a request for a permit modification, revocation and reissuance, or termination, or filing a notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition.
- I.B.3. Except as provided by specific language in this permit, any modification or change in a hazardous waste management practice covered by this permit must be accomplished in accordance with 40 CFR § 270.41 or 270.42.
- I.B.3.a. A written request must be submitted at least sixty (60) calendar days prior to the proposed change in facility design or operation, or not later than sixty (60) calendar days after an unexpected event has occurred which has affected the permit. The

Administrator will approve, disapprove, or modify this request, in accordance with the procedures in 40 CFR Parts 124 and 270.

- I.B.3.b. If the Permittee determines that the corrective action program required by this permit no longer satisfies the requirements of the regulations, the Permittee must, within ninety (90) days, submit a written request for a permit modification to make those changes deemed necessary to satisfy the regulations.

**I.C. Severability**

- I.C.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby. Invalidity of any state or federal statutory or regulatory provision, which forms the basis for any condition of this permit, does not affect the validity of any other state or federal statutory or regulatory basis for said condition. [40 CFR § 124.16(a)(2)]
- I.C.2. In the event that a condition of this permit is stayed for any reason, the Permittee shall continue to comply with the related applicable and relevant and appropriate conditions from the Permittee's previously approved permit until final resolution of the stayed condition, unless the Agency determines that compliance with the previously-approved permit condition would be technologically incompatible with compliance with other conditions of this Permit which have not been stayed.

**I.D. Personal and Property Rights**

- I.D.1 Issuance of this permit does not convey any property rights or any exclusive privilege, nor does issuance of the permit authorize any injury to persons or property, any invasion of other private rights, or any infringement of federal, state or local laws or regulations. [40 CFR § 270.30(g)]

**I.E. Duty to Comply**

- I.E.1. The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit issued in accordance with 40 CFR § 270.61. Any permit noncompliance, other than noncompliance authorized by an emergency permit, constitutes a violation of RCRA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; and/or for denial of a permit renewal application. [40 CFR § 270.30(a)]
- I.E.2. Compliance with the terms of this permit does not constitute a defense to any action brought under Sections 3007, 3008, 3013, and 7003 of RCRA (42 U.S.C. §§ 6927, 6928, 6934, and 6973); the Comprehensive Environmental Response,

Compensation, and Liability Act of 1980, as amended (CERCLA) [42 U.S.C. § 9601 et. seq.]; or any other federal or state law governing protection of public health or the environment.

**I.F. Duty to Reapply**

If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee must submit a complete application for a new permit at least one-hundred eighty days in advance before this permit expires, in accordance with 40 CFR §§ 270.10(h) and 270.30(b).

**I.G. Continuation of Expiring Permit**

This permit and all conditions herein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application (40 CFR §§ 270.10, 270.13 through 270.29); and, through no fault of the Permittee, the Administrator has not issued or denied the new permit, as set forth in 40 CFR § 270.51. This Permit may be modified or revoked and reissued as necessary, and in accordance with 40 CFR § 270.41 and/or 40 CFR § 270.42.

**I.H. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [40 CFR § 270.30(c)]

**I.I. Duty to Mitigate**

In the event of noncompliance with this permit, the Permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment. Such mitigation shall not be a defense to enforcement action. [40 CFR § 270.30(d)]

**I.J. Proper Operation and Maintenance**

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems to maintain compliance with the conditions of this permit. No provision of this permit shall be interpreted to require the Permittee to obligate or expend funds in violation of the Anti-Deficiency Act, 31 U.S.C. Section 1341 or any other provision

of law. [40 CFR § 270.30(e)]

**I.K. Duty to Provide Information**

The Permittee shall furnish to the Administrator, within a reasonable time, any relevant information which the Administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Administrator, upon request, copies of records required to be kept by this permit. [40 CFR §§ 264.74(a), and 270.30(h)]

**I.L. Inspection and Entry**

Pursuant to 40 CFR § 270.30(i), the Permittee shall allow the Administrator, or authorized representatives, upon the presentation of credentials, and other documents as may be required by law to:

- I.L.1. Enter at reasonable times upon the Permittee's premises where a regulated facility or hazardous waste management activity or corrective action activity is located or conducted, or where records must be kept under the conditions of this permit;
- I.L.2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
- I.L.3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- I.L.4. Sample or monitor, at reasonable times, for the purposes of ensuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

**I.M. Monitoring and Records**

- I.M.1. Samples and measurements taken by the Permittee for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste to be analyzed must be the most recent appropriate method from Appendix I of 40 CFR Part 261. The Permittee shall use techniques and procedures specified in Appendix III of 40 CFR Part 261, except as Permit Condition I.M.4. provides otherwise, when collecting, preserving, shipping, analyzing, tracking and controlling samples. [40 CFR § 270.30(j)(1)]
- I.M.2. Except as specifically required by regulation or elsewhere in this permit (i.e., Permit Condition I.Y.), the Permittee shall retain at the facility records of all monitoring information, including all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports and

records required by this permit, certification required by 40 CFR § 264.73(b)(9), and records of all data used to complete the application for this permit for a period of at least thirty-six (36) months from the date of the sample, measurement, report, record, certification, or application. This period may be extended by the Administrator at any time by notification, in writing, to the Permittee and is automatically extended during the course of any unresolved enforcement action regarding the permit until the successful conclusion of any enforcement action. [40 CFR § 270.30(j)(2)]

I.M.3. Pursuant to 40 CFR § 270.30(j)(3), records of monitoring information shall specify:

I.M.3.a. The dates, exact place and times of sampling or measurements;

I.M.3.b. The name, title and affiliation of the individual(s) who performed the sampling or measurements;

I.M.3.c. The dates the analyses were performed;

I.M.3.d. The name, title and affiliation of the individual(s) who performed the analyses;

I.M.3.e. The analytical techniques or methods used; and

I.M.3.f. The results of such analyses, including the Quality Assurance/Quality Control (QA/QC) summary.

I.M.4. The Permittee may substitute analytical methods which are equivalent to those specifically approved for use in this permit in accordance with the following:

I.M.4.a. The Permittee submits to the Administrator a request for substitution of an analytical method(s) that is equivalent to the method(s) specifically approved for use in this permit. The request shall provide information demonstrating that the proposed method(s) is equal or superior to the approved analytical method(s) in terms of sensitivity, accuracy, and precision (i.e. reproducibility); and,

I.M.4.b. The Administrator notifies the Permittee in writing that the substitution of the analytical method(s) is approved. Such approval shall not require a permit modification.

**I.N. Reporting Planned Changes**

The Permittee shall give notice to the Administrator as soon as possible of any planned physical alterations or additions to permitted facility.[40 CFR § 270.30(l)(1)]

**I.O. Reporting Anticipated Noncompliance**

The Permittee shall give advance notice, in writing, to the Administrator of any planned change(s) in the permitted facility or any activity that may result in noncompliance with permit requirements. If advance notice is not possible, then the Permittee shall give notice within twenty-four (24) hours of the time the Permittee becomes aware of the anticipated noncompliance. Such notice does not authorize any noncompliance with this permit or modification of this permit. [40 CFR § 270.30(l)(2)]

**I.P. Transfer of Permits**

This permit may be transferred to a new owner or operator only if it is modified or revoked and reissued pursuant to 40 CFR §§ 270.40(b), 270.41(b)(2) and 270.42. Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264 and 270 and this permit. [40 CFR §§ 264.12 and 270.30(l)(3)]

**I.Q. Compliance Schedules**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date. The Permittee shall maintain compliance with the compliance schedules included as Attachment 8 of this permit. [40 CFR § 270.30(l)(5)]

**I.R. Twenty-four Hour Reporting**

- I.R.1. The Permittee shall report to the Administrator any noncompliance with the permit which may endanger human health or the environment. Any such information shall be reported orally within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances/noncompliance. The report shall include the following:
- I.R.1.a. Information concerning release of any hazardous waste that may cause an endangerment to public drinking water supplies; and
  - I.R.1.b. Any information of a release or discharge of hazardous waste or a fire or explosion relating to hazardous waste management at the permitted facility which could threaten the environment or human health.
- I.R.2. The description in the oral report of the occurrence and its cause shall include:
- I.R.2.a. Name, address, and telephone number of the owner or operator;
  - I.R.2.b. Name, address, and telephone number of the facility;
  - I.R.2.c. Date, time, and type of incident;

- I.R.2.d. Name and quantity of material(s) involved;
- I.R.2.e. The extent of injuries, if any;
- I.R.2.f. An assessment of actual or potential hazards to the environment and human health, where this is applicable;
- I.R.2.g. Estimated quantity and disposition of recovered material that resulted from the incident; and
- I.R.2.h. A qualitative review of actions taken, intended responses, and remedial actions.
- I.R.3. A written submission shall also be provided within five (5) calendar days of the time the Permittee becomes aware of the circumstances/noncompliance. The written submission shall contain a description of the noncompliance, its extent, and its cause; the period(s) of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; corrective measures taken to mitigate the situation and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Director may waive the five-day written notice requirement in favor of a written report within fifteen days. [40 CFR § 270.30(l)(6)]

**I.S. Other Noncompliance**

The Permittee shall report to the Administrator all other instances of noncompliance not otherwise required to be reported in the monitoring reports, compliance schedules, and twenty-four (24) hour reports above, at the time monitoring reports are submitted. The reports shall contain the information listed in Permit Condition I.R. [40 CFR § 270.30(l)(10)]

**I.T. Other Information**

Whenever the Permittee becomes aware that it failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Administrator, the Permittee shall promptly submit such facts or information to the Administrator. [40 CFR § 270.30(l)(11)].

**I.U. Biennial Report**

The Permittee shall comply with Biennial Report requirements of 40 CFR § 264.75.

**I.V. Signature and Certification**

Failure to submit the information required in this permit, or falsification of any submitted information, is grounds for termination of this permit, in accordance with 40 CFR § 270.43. The Permittee shall ensure that all plans, reports, notification, and

other submissions to the Administrator, required in this permit, are signed and certified, in accordance with 40 CFR § 270.11. One copy of each, four in total, of these plans, reports, notifications or other submissions shall be submitted to EPA and sent by certified mail, Federal Express, or hand delivered to the following address:

Director, Office of Waste and Chemicals Management (WCM-121)  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue  
Seattle, WA 98101

**I.W. Reports, Notification and Submissions**

All reports, notifications, or other submissions which are required by this permit to be sent or given to the Administrator must be sent by certified mail, Federal Express, or given directly to:

Director, Office of Waste and Chemicals Management  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue  
Seattle, Washington 98101  
Telephone number: (206) 553-1253

These are the current addressees and phone numbers and may change without modification of the Permit.

**I.X. Confidential Information**

The Permittee may claim confidential any information required to be submitted by this permit, in accordance with 40 CFR §§ 260.2 and 270.12.

**I.Y. Documents to be Maintained at the Facility**

The Permittee shall maintain at the facility (in paper or electronic format) until closure is completed and certified by an independent registered professional engineer, and have readily available for inspection, the following documents and amendments, revisions and modifications to these documents:

- I.Y.1. Waste Analysis Plan; as seen in Attachment 2 of this Permit, and monitoring, testing or analytical data from monitoring activities, as required by 40 CFR § 264.13 and this permit.
- I.Y.2. Records and results of each waste analysis performed in accordance with this permit. Results of waste analyses are kept for a period of three years.
- I.Y.3. Personnel training documents, certifications, and records, as outlined in Attachment 3 of this Permit, as required by 40 CFR § 264.16(d) and this Permit.

Training records for former employees will be maintained for a period of three years, records for current employees will be maintained until closure.

- I.Y.4. Contingency Plan, as seen and referenced in Attachment 4 of this Permit, as required by 40 CFR § 264.53(a) and this Permit.
- I.Y.5. Closure and Post-Closure Plans, as seen in Attachment 5 of this Permit, as required by 40 CFR § 264.112(a) and this Permit.
- I.Y.6. Operating record, containing the documents required by 40 CFR § 264.73 and this Permit.
  - I.Y.6.1. Included as part of the operating record are well construction logs, any maintenance performed, and abandonment records.
- I.Y.7. Inspection schedule(s) as required by 40 CFR § 264.15(b)(2) and this Permit. Records of inspections will be maintained for a period of at least three years.
- I.Y.8. RCRA Permit, including all attachments.
- I.Y.9. RCRA Part B Permit Application, including all attachments.
- I.Y.10. Assessment reports pursuant to Permit Condition II.I., of all incidents that require implementation of the contingency plan.
- I.Y.11. Records of spills and releases.
- I.Y.12. Copies of other permits associated with the hazardous and solid waste management units.
- I.Y.13. Summaries of records of corrective actions, ground-water monitoring well construction, and ground-water monitoring well maintenance and replacement records.

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## **PART II - GENERAL FACILITY STANDARDS**

### **II.A. Design and Operation of Facility**

The Permittee shall maintain and operate the facility: (1) to avoid, reduce, or eliminate waste that may be generated from accidental spills, mishandling of containers, and other such activity; and (2) to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, which could threaten human health or the environment, as required by 40 CFR § 264.31.

### **II.B. Required Notice**

II.B.1. When the Permittee is to receive hazardous waste from an offsite source, the Permittee must inform the generator in writing that the Permittee has the appropriate permit(s) for, and will accept the waste the generator is shipping. The Permittee must keep a copy of this written notice for each generator as part of the operating record, in paper or electronic format, in accordance with 40 CFR §§ 264.12(b) and 264.73(b)(7). The Permittee shall notify each generator prior to receipt of hazardous waste from an offsite source of the hazardous wastes it is permitted to receive and store. The Permittee shall renotify each generator within one (1) week after any permit modification to the hazardous waste codes which the Permittee is permitted to receive and store.

### **II.C. General Waste Analysis**

The Permittee shall comply with the Waste Analysis provisions of 40 CFR § 264.13, and shall implement the procedures outlined in the Waste Analysis Plan, Attachment 2 of this Permit.

### **II.D. Security**

The Permittee shall comply with the security provisions of 40 CFR § 264.14 and shall implement the security measures described in the security plan, included in Attachment 7 of this Permit.

### **II.E. General Inspection Requirements**

The Permittee shall comply with the inspection provisions of 40 CFR § 264.15 and shall implement the inspection plan in Attachment 7 of this Permit.

### **II.F. Training for Personnel Involved with Hazardous Waste Management Activities**

The Permittee shall comply with the personnel training provisions of 40 CFR § 264.16 and shall implement the training program outlined in Attachment 3 of this Permit.

**II.G. General Requirements for Ignitable, Reactive, or Incompatible Wastes**

The Permittee shall comply with the requirements of 40 CFR § 264.17 and shall implement the procedures for ignitable, reactive or incompatible wastes as described in Attachments 4 and 7 of this Permit.

**II.H. Location Standards**

The Permittee shall comply with the location standards of 40 CFR § 264.18.

**II.I. Preparedness and Prevention**

The Permittee shall comply with the preparedness and prevention provisions of 40 CFR §§ 264.31 through 264.37 and as outlined in Attachments 4 and 7 of this Permit.

**II.J. Contingency Plan**

The Permittee shall comply with the Contingency Planning requirements of 40 CFR §§ 264.50 through 264.56, and shall implement the Contingency Plan, Attachment 4 of this Permit.

**II.K. Manifest System**

The Permittee shall comply with the manifest requirements for the use of a manifest system, manifest discrepancies, and un-manifested waste reporting, in accordance with 40 CFR §§ 264.71, 264.72, 264.76 and 270.30 (l) (7) & (8).

**II.L. Record Keeping and Reporting**

In addition to the record keeping and reporting requirements specified elsewhere in this permit, the Permittee shall do the following:

- II.L.1. Operating Record: The Permittee shall maintain a written operating record at the facility, in paper or electronic format, in accordance with 40 CFR § 264.73. The Permittee is exempt from 40 CFR § 264.73(b)(8) for closure cost estimates, in accordance with 40 CFR § 264.140.

**II.M. Closure and Post-Closure**

- II.M.1. Performance Standard: The Permittee shall close the facility, as required by 40 CFR § 264.111 and in accordance with the approved Closure Plan, Attachment 5.
- II.M.2. Amendment to Closure Plan: The Permittee shall modify the Closure Plan in writing, in accordance with 40 CFR § 264.112(c), whenever new information would more accurately characterize the manner in which the Permittee intends to close the hazardous waste storage unit. The Administrator may determine that cause exists to

modify the Closure Plan at any time, in accordance with 40 CFR § 270.41.

- II.M.3. Notification of Closure: The Permittee shall notify the Administrator in writing at least 45 days prior to the date on which the Permittee expects to begin closure as required by 40 CFR § 264.112(d).
- II.M.4. Time Allowed For Closure: After receiving the final volume of hazardous waste, the Permittee shall remove from storage all hazardous waste and shall complete closure activities, in accordance with 40 CFR § 264.113; and the Closure Plan, Attachment 5.
- II.M.5. Disposal or Decontamination of Equipment, Structures, and Soils: The Permittee shall decontaminate and/or remove and dispose of all contaminated equipment, structures, and soils, as required by 40 CFR § 264.114, 40 CFR § 264.178, and the Closure Plan, Attachment 5.
- II.M.6. Sampling and Analysis Plan: The Permittee shall submit a detailed sampling and analysis plan (SAP) to the Administrator prior to conducting final closure activities in accordance with the schedule in the Closure Plan. The SAP shall include protocols for sampling of the empty storage areas and underlying soils. These protocols will include; the number of samples and sampling grid, sample parameters, specific EPA SW 846 (*Test Methods for Evaluating Soil Waste, Physical/Chemical Methods*) (EPA 1996) methods, location and rationale for background samples, proposed action levels and proposed cleanup levels.
- II.M.7. Certification of Closure: The Permittee shall certify that the facility has been closed, in accordance with the specification in the Closure Plan, as required by 40 CFR § 264.77(b) and 40 CFR § 264.115.

## **II.N. Pollution Prevention Program**

- II.N.1 The Permittee shall comply with the pollution prevention requirements of 40 CFR § 264.73(b)(9). To the extent economically practicable, Air Force Instruction 32-7080, "Pollution Prevention Program," dated 12 May 1994, shall be implemented.
- II.N.2 Incidental to the storage of hazardous waste in the facility, the Permittee will store hazardous materials with the intention of reutilization, transfer, donation or sales of the material on site or off-site. The material will be stored under the same storage and handling considerations as hazardous waste. If reutilization of the material cannot be arranged, then the material will be handled as solid or hazardous waste, as appropriate.

## **II.O. Equivalent Materials**

If certain equipment, materials, procedures, and administrative information (such as names, telephone numbers, or addresses) are specified in this permit, the Permittee

is allowed to use an equivalent or superior item. Use of such equivalent or superior items shall not be considered a modification of the permit, but the Permittee shall place a notation of such a revision in the operating record, accompanied by a narrative explanation and the date the revision became effective. The Administrator may judge the soundness of the revision during inspections of the facility and may require the Permittee to reinstate the equipment, materials, procedures or administrative information specified in the permit. The format of tables, forms and figures are not subject to the requirements of this permit, and may be revised according to the Permittee's discretion.

**II.P. Air Emission Standards**

The Permittee shall comply with the air emission standards outlined in 40 CFR Subpart CC and as outlined in Attachment 7 of this Permit. Specifically, general standards outlined in 40 CFR 264.1082 and standards that apply to emissions from containers outlined in 40 CFR 264.1086 shall be followed.

## **PART III - STORAGE IN CONTAINERS**

### **III.A. Waste Identification**

III.A.1. The Permittee may store the following RCRA hazardous wastes in containers at USAF Elmendorf AFB, subject to the terms of this permit:

Location: Building 11735

Description:

- Batteries: alkaline, lithium, mercury, nickel-cadmium, zinc
- Corrosives: various acids and bases, including chromic, hydrochloric and sulfuric; sodium hydroxide; ammonia hydroxide; and cleaning compounds
- Discarded commercial chemical products identified in Part A
- PCB wastes, including transformers and contaminated soil
- Poisons and pesticides
- Residues generated by open burn/open detonation treatment processes
- Respirator cartridges and charcoal filters containing toxicity-characteristic concentrations of chromium, including oxygen-breathing apparatus canisters.
- Soils contaminated with heavy metals
- Solids and liquids from spill cleanups
- Solvents, chlorinated and non-chlorinated
- Toxicity characteristic wastes (D018 to D039) generated during maintenance and other operations by the Permittee and at the off-site federal installations
- Waste copier dispersant, dye penetrant used in magna-fluxing, ethyl alcohol, and marathon reducer
- Waste paint-related items that may contain solvents and metals. Waste items include latex and enamel paint waste and sludges, epoxy, paint thinner and stripper, coatings and thinners, and paint-booth filters
- Waste fuel and waste oil, and solids contaminated with these materials. This waste may contain solvents and metals
- Wastes from historical operations at federal facilities located throughout Alaska

Permitted RCRA Waste Codes: See Part A Application.

III.A.2. The Permittee may store other discarded commercial chemical products, off-specification species, container residues, and spill residues, as listed in 40 CFR § 261.33 that are not identified in Permit Condition III.A.1, upon satisfying the Permit modification request procedure and receiving approval from the Administrator, as set forth in 40 CFR § 270.42. The storage of different wastes in containers that require additional or different management practices from those authorized in the Permit shall be considered a Class 3 modification. The storage of different wastes in containers that do not require additional or different management practices from those authorized in the Permit shall be considered a Class 2 modification.

III.A.3. The Permittee shall manage newly listed or identified wastes in accordance with 40 CFR § 270.42(g).

III.A.4. The Permittee shall not store any other wastes not specified on the Hazardous Waste Permit Information Form, (EPA Form 8700-23), or in paragraphs III.A.1, III.A.2, or III.A.3 without first obtaining a permit modification in accordance with 40 CFR 164.42.

### **III.B. Condition of Containers**

III.B.1. If a container holding hazardous waste is not in good condition (e.g., corrosion, apparent structural defects, creases or dents, etc.), or if it begins to leak, the Permittee shall transfer the hazardous waste to a container that is in good condition, or otherwise manage the waste in some other way in compliance with 40 CFR § 264.171.

III.B.2. The Permittee shall maintain at all times a sufficient number of empty containers, overpack drums, and drip pans at the hazardous waste storage units to comply with Permit Condition III.B.1.

### **III.C. Compatibility of Waste with Containers**

The Permittee shall use a container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired, as required in 40 CFR § 264.172.

### **III.D. Management of Containers**

III.D.1. The Permittee shall always have containers holding hazardous waste closed during storage, except when it is necessary to add or remove waste, as required in 40 CFR § 264.173(a).

III.D.2. The Permittee shall not open, handle, or store hazardous waste in a manner which may rupture a container or cause it to leak, as required in 40 CFR § 264.173(b).

- III.D.3. At any time, the Permittee may store a maximum volume of 120,120 gallons of waste identified in Permit Condition III.A.1. This requirement applies regardless of whether the containers hold hazardous or non-hazardous waste.

**III.E. Inspection of Containers and Containment System**

- III.E.1. The Permittee shall inspect, at least once every seven (7) days, areas where containers are stored, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion, temperature, and/or other factors, as required in 40 CFR § 264.174.
- III.E.2. The Permittee shall document the inspections by maintaining the Inspection Log, in paper or electronic format, as required by 40 CFR § 264.15 and described in Attachment 7.
- III.E.3. The Permittee shall visually inspect each container for its integrity prior to handling or moving, as required in 40 CFR § 264.31.

**III.F. Containment**

- III.F.1. The Permittee shall maintain and operate the container storage containment system, as designed and described in the attached plans and specifications, Attachment 6, as required in 40 CFR § 264.175.
- III.F.2. The Permittee shall operate and maintain the containment system such that the base underlying the containers is free of cracks or gaps and is sufficiently impervious to contain leaks and spills and accumulated precipitation until the collected material is detected and removed, as required in 40 CFR § 264.175(b).
- III.F.3. The Permittee shall store free liquids or hazardous waste only in containers that meet the United Nations Performance Oriented Packaging specifications for that particular type of waste. The containment system for these wastes must have sufficient capacity to contain 10 percent (10%) of the storage capacity of the containment system or the volume of the largest container being stored, whichever is greater, as required in 40 CFR § 264.175(b)(3).
- III.F.4. The Permittee shall remove spilled or leaked waste and accumulated precipitation from the sump or collection area in a manner as is necessary to prevent overflow of the collection system and in a manner to keep the containers from contact with the liquids/material in the collection area. The Permittee shall manage the collected material in accordance with 40 CFR § 264.175(b)(5). If the collected material is a hazardous waste under 40 CFR Part 261, it must be managed in accordance with all applicable requirements of 40 CFR Parts 262 through 266.

### **III.G. Special Requirements for Incompatible Waste**

- III.G.1. The Permittee shall separate containers of incompatible wastes, as required by 40 CFR § 264.177 and as described in Attachment 7 of this permit, Procedures to Prevent Hazards.
- III.G.2. Notwithstanding Permit Condition III.G.1., the Permittee shall not place incompatible wastes or incompatible wastes and materials in the same container, nor place hazardous waste in an unwashed container that previously held an incompatible waste or material, as required in 40 CFR § 264.177.
- III.G.3. Notwithstanding Permit Condition III.G.1., the Permittee shall separate or otherwise protect any storage container holding hazardous waste from any incompatible wastes or materials by means of a dike, berm, wall, or other appropriate device, such as an overpack drum, salvage drum, or drip pan, as required in 40 CFR § 264.177.
- III.G.4. Notwithstanding Permit Conditions III.A.1-3, the Permittee shall not place incompatible wastes, or incompatible wastes and materials in the same bay, unless the Permittee complies with 40 CFR § 264.17(a)-(c) and Permit Condition II.G.

### **III.H. Prohibitions of Storage of Restricted Wastes**

- III.H.1. The Permittee is prohibited from receiving or storing hazardous wastes restricted from land disposal, unless the conditions required in 40 CFR § 268.50 are met.
- III.H.2. The Permittee shall store land disposal restriction (LDR) hazardous waste in tanks or containers onsite solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal and each container shall be clearly marked to identify its contents and the date each period of accumulation begins, as required by 40 CFR § 268.50(a)(2). The Permittee shall not store hazardous waste to circumvent or forestall the treatment requirements of 40 CFR Part 268.
- III.H.3. The Permittee shall store LDR wastes for no more than three-hundred sixty-five (365) days, unless the Permittee can demonstrate to the satisfaction of the Administrator that such storage is/was solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment, or disposal, as required in 40 CFR § 268.50(b)&(c). The Permittee shall provide a written demonstration if the waste has been stored for greater than three-hundred sixty-five (365) days and in accordance with Permit Condition III.H.2. This three-hundred sixty-five (365) day limitation does not apply to wastes subject to an approved petition, a nationwide variance, or an approved extension, nor to a waste that meets the treatment standard.

- III.H.4. The Permittee shall not dilute a restricted waste, in any manner, in accordance with 40 CFR § 268.3.
- III.H.5. The Permittee shall receive from the generator all necessary notices, notifications, and certifications that are required to determine if a waste is restricted from land disposal, in accordance with 40 CFR § 268.7.
- III.H.6. The Permittee shall comply with the notice, notification, and certification requirements under 40 CFR § 268.7 when sending waste or treatment residue off-site, in accordance with 40 CFR § 268.7(b)(6).
- III.H.7. The Permittee shall keep all copies of each applicable generator's demonstration and certification in the Permittee's operating record when the waste received is subject to a valid certification in accordance with 40 CFR § 264.73(b).
- III.H.8. It is the duty of the Permittee to request a modification of this Permit in the event that the Permittee believes any permit condition in Permit Condition III.H. prevents the ability of the Permittee to comply with 40 CFR Part 268, in accordance with 40 CFR §§ 270.4(a) & 270.41(a).

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## **PART IV – CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS**

### **IV.A. CERCLA Section 120 Federal Facility Agreement**

- IV.A.1. Section 3004(u) of RCRA (Section 206 of HSWA) and regulations promulgated at 40 CFR § 264.101 require corrective action, as necessary, to protect human health and the environment for all releases of hazardous waste or hazardous constituents from any solid waste management unit (SWMU), for all permits issued after 8 November 1984. A Federal Facility Agreement (FFA) under Section 120(e)(2) of CERCLA is a mechanism used to investigate and clean up releases of hazardous waste and constituents to protect human health and the environment. All investigations and cleanups included in the FFA will meet or exceed all applicable or relevant and appropriate state and federal requirements, including RCRA, to the extent required by Section 121 of CERCLA, 42 U.S.C. § 9621. IV.A.2. The corrective action for USAF Elmendorf AFB will be satisfied by the FFA, which was dated by EPA on 19 September 1991, and became effective on 15 November 1991. Compliance with the FFA is made a condition of this permit and the FFA is included in this permit as Attachment 9. The corrective action requirement of 40 CFR § 264.101 will be satisfied by the FFA, except for:
- IV.A.2.a. Those units that the parties to the FFA transfer to the Corrective Action Schedule of Compliance in Attachment 8;
- IV.A.2.b. Those SWMUs that the Parties to the FFA formally identify as outside the scope of the FFA;
- IV.A.2.c. Those newly identified SWMUs that the Parties to the FFA identify as outside the scope of the FFA, which EPA determines to be subject to corrective action; or
- IV.A.2.d. Those SWMUs that are discovered after the termination of the FFA, which EPA determines will be subject to corrective action..
- IV.A.3. All SMWUs at Elmendorf AFB shall be appropriately addressed either under the FFA or directly under this permit. The Permittee shall notify EPA of SWMUs that are not being addressed by the FFA. For SWMUs subject to paragraphs IV.A.2.a and IV A.2.b, such notice shall be provided within 30 days of the effective date of this Permit. For SWMUs subject to paragraphs IV.A.2.c and IV.A.2.d, such notice shall be provided within 30 days of the identification or discovery, subject to EPA approval.
- IV.A.4. The SWMUs that are presently being addressed under the FFA are listed in Attachment 8, "Corrective Action for Solid Waste Management Units."

### **IV.B. Newly-Identified or Newly-Created Solid Waste Management Units**

- IV.B.1. The Permittee shall notify the Administrator in writing of any newly-identified or newly-created SWMU(s) that are not covered by this permit or the FFA, as set out in Attachment 8. This notice shall be provided no later than fifteen (15) calendar days after discovery of the newly identified or created SWMU(s).
- IV.B.2. Within ninety (90) calendar days after the notification provided in accordance with permit condition IV.B.1, the Permittee shall prepare a SWMU Assessment Report. At a minimum, the Report shall provide the following information for each newly-identified or newly-created SWMU:
- IV.B.2.a. The location of each newly-identified SWMU in relation to other SWMUs, building numbers, or other descriptive landmarks;
- IV.B.2.b. The type and function of the unit;
- IV.B.2.c. The general dimensions, capacities, and structural description of the unit (supply any available drawings);
- IV.B.2.d. The period during which the unit was operated;
- IV.B.2.e. The specifics on all wastes that have been or are being managed at the SWMU, to the extent available; and
- IV.B.2.f. A description of any release (or suspected release) of hazardous constituents originating from the unit, including planned or unplanned releases to the air. Include information on the date of release, type of hazardous waste or hazardous constituents, quantity released, nature of the release, extent of release migration, and cause of release (e.g. overflow, broken pipe, tank leak, etc.). Also provide any available data which would quantify the nature and extent of environmental contamination, including the results of soil and/or groundwater sampling and analysis efforts. Likewise, submit any existing monitoring information that indicates release of hazardous waste or hazardous constituents has not occurred or is not occurring.
- IV.B.3. Based on the results of this Report, the Administrator shall determine the need for further investigations at specific unit(s) covered in the SWMU Assessment Report. If the Administrator determines that such investigations are needed, the Administrator may require the Permittee to prepare an RFI workplan and/or RFI report within a specified time and in accordance with EPA guidance. If the Administrator determines that corrective measures are required, the Permittee shall submit a request for a permit modification to implement corrective measures.

**IV.C. Newly-Discovered Releases at Solid Waste Management Units**

- IV.C.1 The Permittee shall notify the Administrator, in writing, of any release(s) of hazardous waste or hazardous constituents from any SWMU. Such newly-discovered releases may be from newly-identified SWMU's, from SWMU's at which the Administrator had previously determined that no further investigation was necessary, or from SWMU's investigated as part of this permit. This notification shall be submitted in two parts:
- IV.C.1.a First, within fifteen (15) calendar days of discovery of the release the Permittee shall submit in writing an initial notification report of the discovery. This notification shall alert the Agency to the magnitude of the threat.
- IV.C.1.b Second, within sixty (60) days of such a discovery the Permittee must submit a written report. The report shall discuss the Permittee's efforts to investigate and/or remediate the discovered release and shall specifically include:
- i. the concentrations and estimated quantities of any hazardous wastes or hazardous constituents released;
  - ii. the known, or expected, pathway(s) through which the contamination is migrating (or may migrate), and the extent, rate, and direction of that migration;
  - iii. the projected fate and transport of the release;
  - iv. the likely exposure pathway(s) for potential receptors, and the consequences of exposure to these receptors; and,
  - v. an outline of proposed Interim Measures to arrest the release, as well as a schedule for implementing the Measures. The schedule should be justified by a discussion of possible consequences arising from any delay in implementing Interim Measures.
- IV.C.2 If, based either on information submitted in IV.B.1 or IV.C.1 above, or on information obtained during the investigation or monitoring of the facility, the Agency determines at any time that a threat to human health or the environment may result from a release at the facility, the Permittee will be directed by a notification from the Agency to implement interim corrective measures designed to minimize the threat to human health and the environment, subject to review and approval by the Agency. Interim corrective measures are subject to the dispute resolution procedures in permit condition V.N. Implementation by the Permittee of treatment or containment activities taken during immediate response to a discharge of hazardous waste,

an imminent and substantial threat of a discharge of hazardous waste, or a discharge of material which, when discharged, becomes a hazardous waste, is not subject to this permit. [40 C.F.R. § 270.1(c)(3)]

- IV.C.3 Within ninety (90) days of discovery of a release, the Permittee shall submit a Report describing the interim corrective measures activities taken to date. This Report shall include the reporting requirements specified in permit condition IV.A. If the Administrator determines that additional investigation or corrective measures are required, the Permittee shall submit a request for a permit modification to investigate and perform additional corrective measures, or the Agency may initiate a permit modification.

**IV.D. Date/Deadline Changes**

Revisions to Attachment 9 of this Permit (the FFA), resulting from amendments to the FFA dates/deadlines, shall not require a permit modification if all parties to the FFA have agreed upon such revisions.

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